

doing and that is governing in the Nation's interest.

Mr. President, I ask unanimous consent that the cloture vote on the pending motion to proceed occur at 10:30 a.m. tomorrow with the mandatory quorum waived; provided further that if cloture is invoked, notwithstanding rule XXII, the Senate proceed immediately to the bill; I further ask consent that if a cloture motion is filed on the bill during Thursday's session, then that cloture vote occur at 2:30 p.m. on Tuesday, February 28; provided further that if cloture is invoked on the bill, then at 10 a.m. on Wednesday, March 1, the bill be read a third time and the Senate proceed to a vote on the bill with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that there now be a period of morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ENERGY

Mr. DORGAN. Mr. President, I will spend a few minutes talking about energy.

There was a letter to the editor in the Wall Street Journal, I believe, this morning or yesterday morning, responding to an editorial where I had given a response to an editorial. The writer to the Wall Street Journal was taking me to task for saying there is not a "free market" in energy or in oil. My point was there is no free market in oil. He said he doesn't know what I have been drinking or where I got these thoughts. He said there is a free market in oil.

Let me describe all of this in the context of President Bush's State of the Union Address in which he suggested that we are "addicted" to oil and we need to move toward greater independence with respect to oil, especially coming from off our shores.

First, on the subject of a free market, there is no free market in oil. A substantial portion of oil comes from halfway around the world, under the sand in the Middle East, in Saudi Arabia, Kuwait, Iraq, and Iran. A substantial part of the world supply of oil comes from that region. And those OPEC ministers, having formed a cartel, sit around a room and decide how much they are going to pump and at what price. That is a cartel. Cartels are the antithesis of the free market system. Yet the OPEC countries have this cartel, produce a great amount of oil, and they decide how they are going to manipulate price and supply. That is No. 1.

No. 2, you have the large oil companies, bigger and much stronger because of the blockbuster mergers in recent

decades, especially in the last one. These oil companies used to be one company, and now they are a company with several names, such as ExxonMobil. That used to be Exxon, and that used to be Mobil. They decided to fall in love and get married, and now it is ExxonMobil. Last year, ExxonMobil made \$36.1 billion—the highest profit ever recorded in corporate America. ExxonMobil.

Then there is Chevron-Texaco. It used to be Chevron, and there was Texaco. They discovered they liked each other and they got hitched, making it Chevron-Texaco.

And then we have ConocoPhillips, which used to be separate companies. Once they decide to marry up and merge, they save all these names.

So there is ExxonMobil, Chevron-Texaco, and ConocoPhillips. Maybe some day they will all merge, and when you put them all together, they will be ExxonMobil ChevronTexaco ConocoPhillips—just one company. The blockbuster mergers mean these companies are bigger, stronger, and have greater capacity to influence the marketplace.

So you have the OPEC ministers in a closed room talking about supply and price and how they affect supply and price and the manner in which they want to affect it. You have the oil companies, larger and stronger, having more muscle to influence the marketplace. And third, you have the futures market. The futures market, rather than simply providing liquidity for training, has become an orgy of speculation. So those three things are what determine the price of oil and the price of gasoline. It has very little to do with the so-called free market. Yet we hear all these people talk about the free market.

Do you think it is the free market that gives us a company such as ExxonMobil, with profits of \$36.1 billion last year? That is not a free market. That is the price of oil which is somewhere between \$60 and \$70 a barrel. That is up from \$40 a barrel average price of the year before, at which point this company had the highest profits in their history. So it went from an original price of \$40 a barrel to over \$60 a barrel, and the company had no additional expenses at all. That price went to that level and it stayed relatively at that level, and it has dramatically boosted the profits of all of these oil companies—Shell, \$25.3 billion; B.P., \$22.3 billion; \$36.1 billion for ExxonMobil.

Listen, all the gain is here with the big oil companies and the OPEC countries. All the gain is here, and all the pain is on the side of the consumers, people trying to heat their home in the winter, people driving to the gas pump trying to figure out how much it is going to take to fill up their tank. They are paying the higher prices, and all that goes into these coffers, higher profits. And that is sent also to the OPEC countries.

The President talks about an addiction to oil. I would use that term. We

are hopelessly addicted to oil. I don't suggest that we have an oil anonymous organization where we show up on Wednesday nights and confess that we drove our Humvee 10 blocks to pick up a bagel. What do we confess to? Well, we have a 6,000-pound vehicle and we decided we needed to run an errand to buy a piece of ribbon. That is not what I suggest, nor is it what I expect the President suggest.

Addiction to oil. Let's think about that. We suck 84 million barrels of oil out of this Earth every day. Every single day, 84 million barrels are sucked out of the Earth. One-fourth of it, 21 million barrels of oil, goes to this country, the United States of America. We use fully one-fourth of all the oil that is extracted from this planet every single day. Sixty percent of all that oil we use in this country comes from off our shore, and much of it from troubled parts of the world. If, God forbid, something should happen to the supply of oil from Saudi Arabia tomorrow, we would have a huge problem.

Our economy is, in fact, attached to the ability to get oil from other parts of the world that are very troubled parts of our planet. If terrorists, for some reason, interdicted the supply of oil, shut off the supply of oil tomorrow morning, our economy would be in deep trouble. Obviously, there are national security interests here. Does it make sense from a national security standpoint to have the American economy running on 60-percent foreign oil, much of it coming from troubled parts of the world? The answer to that is no. Of course not. So in addition to national security issues, you have the issue of the unfairness, of huge profits for the major oil companies, huge profits for the OPEC countries, Saudi Arabia, Kuwait and others, and then substantial pain for people, many of whom can't afford it, pain in the form of higher prices.

Energy independence: That is the watchword. Energy independence, they say. What does all this mean? Let me go back for a moment to January 13, 2002. January 13, 2002 is the day the Ambassador for Saudi Arabia showed up at the White House in the Oval Office. Prince Bandar, the Saudi Ambassador, was then told at a meeting in the White House on January 13 that this country was going to attack Iraq, invade the country of Iraq. It is interesting that not until the next day did the President notify the U.S. Secretary of State.

On January 13, at a meeting in the Oval Office—and again, this comes from Bob Woodruff's book "Bush at War"—the President called in and notified the Saudi Ambassador to the United States that we were going to war with Iraq. The following day, the President notified his own Secretary of State that he had made a decision to

go to war with Iraq. Interesting. It describes something about the relationship this country has with Saudi Arabia and the importance it places on that relationship.

This occurred, by the way, as my colleagues know, following 9/11/2001. Fifteen of the 19 hijackers were Saudi citizens. Of the 19 hijackers who flew the planes that hit this country, 15 of them were Saudi citizens. We had Saudi citizens rounded up on private airplanes leaving this country. Then in January of 2002, the President calls the Saudi Ambassador to the Oval Office and tells him we are going to war with Iraq. The following day, he tells our own U.S. Secretary of State Colin Powell that he has decided to go to war with Iraq. I recite that because it describes a very special relationship this country has had with Saudi Arabia, and perhaps a very unhealthy relationship. Under the Saudis' noses and eyes, I believe, there has existed a network of madrassas, schools and other activities in which terrorist organizations developed and flourished, and we bore the brunt of that on 9/11/2001. As long as they left Saudi Arabia alone, it was going to be all right; They could develop their terrorist cells.

The fact is when we go to the gas pumps in this country and fill our tank and pay the kind of money we are paying for that petroleum, there is a fair amount of evidence, and it is written evidence coming from numerous studies, that we are actually helping to finance terrorism. There are many steps we have to take to deal with that.

The first and most important step, however, is for us to understand this addiction to oil from the Middle East. The addiction to oil from Saudi Arabia and Kuwait and Iraq and elsewhere is a very unhealthy circumstance for our country. It is relatively easy to talk about addiction and fairly simple to talk about the need for energy independence. It is quite another thing to get there. I mentioned a moment ago driving a 6,000-pound car to go get a bagel. By that I meant a Humvee. Understand, I have never driven a Humvee, but I understand they weigh about 6,000 pounds, and I don't mean to demean anybody who would drive a 6,000-pound Humvee. But I do have, as I have indicated before, only broken knowledge of Latin, and when I drive up to a stoplight beside a Humvee and look over and see a Humvee on the street next to me, I think of a Latin phrase I learned in high school, not in formal class, but the phrase was "totus porcus." I look at Humvees, 6,000-pound vehicles, and I understand that no one has been serious in this country about suggesting that we change the way we do things.

Are we suggesting that we get better gas mileage in our automobiles in any significant way? I looked at a vehicle the other day that is an identical vehicle to the same model that was produced 10 years ago. Guess what. It has exactly the same rated gas mileage. In

10 years, we can't add 1 mile per gallon. Whether it is conservation, efficiency, better gas mileage, or any dozens of other issues on the side of using petroleum products, or if it is on the side of producing petroleum products, we don't have a national plan. We don't have a plan that represents this country's crucial interests in actually getting to some kind of independence or some percentage of independence of foreign oil. We need one, and if the President's call in his State of the Union is an honest attempt to get there, I am with him. But it is not so much what we say, it is what we do that will determine our energy future.

I was proud in the last week or two to join my colleagues Senator DOMENICI, Senator BINGAMAN, and Senator TALENT in offering legislation to open the Gulf of Mexico for additional production. We believe there is somewhere around 6 trillion cubic feet of natural gas available for production in lease 181. It was ready for production in 2001 and the President took it off the books because his brother was Governor of Florida and didn't want it produced, so it has not been produced. But the fact is on a bipartisan basis here in the Senate we have a fair number of people on the bill that has been introduced. So let's produce, let's get that natural gas and get it into the pipeline.

The issue of additional production, especially coming from renewable fuels, makes a great deal of sense to me. I talked about lease 181, that is drilling, and that is production from drilling, oil and natural gas. We have a pipeline that needs to get done that we have already supported, from Alaska to the United States, transporting substantial portions of natural gas to the United States, but those who are supposed to be doing that have been dragging their feet on that. We do need fossil fuels to be producing more. But we also in the area of renewable fuels need to understand, we can decide to substitute for traditional fuels a substantial amount of renewable energy if we decided our country could do that.

Wind energy. Wind energy has great potential. Taking energy from the wind and producing electricity from it, perhaps even using electricity in the process of electrolysis to separate hydrogen from water and creating hydrogen fuel to run a hydrogen fuel-celled vehicle. All of that makes great sense. But you only do that as a country if you set goals and decide that is the direction you want to head.

Biofuels, ethanol. I was part of a group that set a new renewable fuel standard, saying we are going to get to 7.5 billion gallons of ethanol by the year 2012, doubling the use of ethanol in our country. That means you go in the farm fields on a renewable basis every year, produce corn, as an example, and produce ethanol fuel from corn that extends America's energy supply and also produces a new market for family farmers. All of these things are doable. Other countries have done

them. Brazil is an example of a country that has done remarkable things with the extension of renewable fuels. Our country has not because we have not had a plan. Now we are getting there.

Last year's energy bill was a start. The bill we have introduced on lease 181 is another piece. There is much more to do, but we will not do anything close to move toward something you could call energy independence unless we as a country have a rational plan, a thoughtful plan.

There has been a lot of discussion about who created this energy plan of ours. It goes all the way back to the year 2001 when there were secret meetings and we had people coming to town to participate in these meetings, and virtually all of these countries, I understand, played a role in meetings such as that, although we can't find the names because they claim that the meetings were not public. The Vice President and others convened meetings, developed an energy policy, but it has not been a policy that has done anything other than lead us toward greater dependence on foreign sources of oil.

Slightly over 60 percent of our oil is coming from off our shores. That is scheduled in a very short order to go to nearly 70 percent. It has been an inevitable climb, from 60 to now 70. We are going to have to decide as a country, are we going to change that or aren't we? There is not much more we can do for this country's economic security and national security that is more important than to take this kind of energy plan and to decide to embark on something that will strengthen this country and make us less dependent on unstable parts of the world for the production of our energy and for the transport of our oil.

It is interesting to me that we never see that which goes in our gas tanks. My father ran a gasoline station, among other things. So when I was a kid, on nights and Saturdays and weekends, I was pumping gas. Some people say my occupation hasn't changed very much. But I pumped gas, and people would drive up and I filled their car with gas. I did that when I was a kid for years and years. When you think about this, we never see that product. So it comes from under the sands of Saudi Arabia. The Lord has seen fit to give us this wonderful bounty called the United States of America. There is no other country quite like it. Yet we have this prodigious appetite for energy. We use one-fourth of all the oil that is sucked out of this earth every day, and a substantial part of the oil, for some reason, exists halfway around the world under the sands of a very troubled part of our globe.

So in Saudi Arabia, where there are dramatic deposits of oil—we are not quite sure how large those deposits are because the Saudis won't let anyone verify all that—it is pulled out of that sand. It is cheaper to pull it out of that sand than anywhere else on the face of

the Earth, and then it is put in a pipe, it goes to a refinery, put in another pipe, goes to a dock, put on a ship, comes to this country on a tanker, is offloaded into a refinery, goes on a pipeline, perhaps goes to a truck, gets sent to a gasoline station, pumped through an underground tank and pumped through a hose into your car, and no one has ever seen it. Nobody has ever seen that gallon of gasoline. That is the way it works. But literally in this country our economy and our future are held prisoner by this unbelievable dependence on foreign oil.

It affects everything we do. It affects our foreign policy. We have gone to war over oil. It affects everything. So the question for this President and this Congress, not tomorrow but today, is how do you reach some sort of independence? How do we make our country less dependent on something we desperately need for our future economic opportunity and growth, less dependent on oil from overseas? I know there are as many suggestions on how to write a new energy policy as there are Members of the Senate. But I do not believe, with all due respect, that there is a Republican or Democratic way to write an energy policy or a conservative or liberal way to write an energy policy. I think there is a right way and a wrong way and a smart way and a pretty stupid way. But it seems to me that we need to begin to find the best of what each of our political parties has to offer in terms of an energy policy and find a way to construct, from the best of what both have to offer, something to assure us that our economy will have the energy that it needs for the future.

This is not some academic discussion, as is often the case on the floor of the Senate. There are people who, this winter, do not have enough money to heat their homes because prices are too high. That does not, by the way, have anything to do with supply and demand. You see these profits, the highest profits in history for the oil companies. You don't see gasoline lines. Has anybody seen any gas lines around here, people lining up for hours to get gas? No. There is no shortage. In fact, something came across my desk yesterday—an oil company is shutting down a portion of its refinery because it wants to restrict supply. Why? It wants to keep prices where they are. They like these high prices.

There are a lot of ramifications. There are enormous riches for the big oil companies and enormous pain for the American consumer, and that is the short term. The question in the short term is always: Who is going to stand up for the American consumer? I introduced a bill, along with my colleague, Senator DODD, from Connecticut, a couple of months ago, that would have imposed a windfall profit tax on these oil company profits, only on the profits above \$40 a barrel. Incidentally, last year, 2004, represented the highest profits in history at \$40 a barrel. We proposed a windfall profits tax at 50 percent on profits over \$40 a barrel, with all the proceeds to be sent

back to the American consumers as a rebate.

Interestingly enough, I guess it was 65 Senators voted against that because they do not want to take money from the oil industry and provide it as a rebate to consumers. I think you ought to even the score a bit. There is no justification for these profits. These companies have not exhibited additional expenses. These are extraordinary profits, the highest in the history of corporate America, and all the American consumers are feeling the pain. That is the short term. We have tried, in the short term, to address it with the windfall profits tax rebate bill and we have not been successful. But that is not over.

Then in the intermediate to longer term, we have to do more. We need a real plan for energy independence, a real plan, one that addresses alternative fuels and renewable fuels, enhances the recovery of fossil fuels in a way that is protective of our environment. We need to be doing all of that together, reaching a set of goals that our country establishes. You can't do this without leadership.

So my hope is that, both from the White House and also from here, we will begin to see some leadership toward energy independence—I mean some real leadership. Talking about it is one thing. It doesn't mean anything. People have been talking about this forever. It is a waste of breath unless it results in real planning.

I have mentioned before the book McCullough wrote about John Adams. It was a fascinating book and had lingering questions from John Adams as he was traveling around the world representing this new country they were trying to form. He spent time in France and England. He would write back to his wife Abigail. At least as I read the book, it would seem that he would write to Abigail and lament to her in his letters: Where will the leadership come from to form this new country of ours? Where will the leadership emerge to put this new country we want to form together? Then in the next letter he would write: Well, then, there is really only us—there's me, there's George Washington, there's Ben Franklin, there's Thomas Jefferson, there's Madison, there's Mason—and of course in the rearview mirror of history we know the "only us" now represents some of the greatest human talent ever assembled. But every generation of Americans asks the identical question: Where will the leadership come from? Where will the leadership emerge, real leadership, to steer this country in the right direction?

With respect to energy policy which relates to both our economic security and our national security, time is wasting, and there is not a more important subject for us to address, beginning now. The question remains: Where will the leadership come from? That question is addressed to both the White House and the Congress, asking for, finally, what the best of both political parties ought to have to offer this country.

## AMERICAN ASSOCIATION ON MENTAL RETARDATION AWARD WINNERS

Mr. DURBIN. Mr. President, I am pleased today to join the Illinois chapter of the American Association on Mental Retardation, AAMR, in recognizing the recipients of the 2006 Direct Service Professional Award. These individuals are being honored for their outstanding efforts to enrich the lives of people with developmental disabilities in Illinois.

These recipients have displayed a strong sense of humanity and professionalism in their work with persons with disabilities. Their efforts have inspired the lives of those for whom they care, and they are an inspiration to me as well. They have set a fine example of community service for all Americans to follow.

These honorees spend more than 50 percent of their time at work in direct, personal involvement with their clients. They are not primarily managers or supervisors. They are direct service workers at the forefront of America's effort to care for people with special needs. They do their work every day with little public recognition, providing much needed care and assistance that is unknown except to those with whom they work.

It is my honor and privilege to recognize the Illinois recipients of AAMR's 2006 Direct Service Professional Award: Cheryl Case, Lisa Cutter, Jane Flores, Cindy Block, Patricia Bzdyl, Don Collins, Judy Hicks, Holly Spence, Della Reese, Sarah McRae, and Kathy Slimmer.

I know my fellow Senators will join me in congratulating the winners of the 2006 Direct Service Professional Award. I applaud their dedication and thank them for their service.

### ARMY SPECIALIST PATRICK HERRIED

Mr. JOHNSON. Mr. President, in February 6, 2006, one of South Dakota's sons made the ultimate sacrifice while serving in Iraq. Army SP Patrick Herried died when an improvised explosive device detonated under the armored military vehicle he was driving. He was a member of the 4th Squadron, 14th Cavalry Regiment, 172nd Stryker Brigade Combat Team based in Fort Wainwright, AK.

Specialist Herried was a 1994 graduate of Roosevelt High School in Sioux Falls and was fondly remembered by his classmates and teachers. Like many South Dakotans, he was passionate about sports and the outdoors. He was a member of the Roosevelt High School football team and enjoyed skateboarding and mountain biking.

Specialist Herried joined the Army in the hopes that it would lead to a better career and even college. His mother, Rita, agreed that the Army had a positive impact on her son. "He was just a good kid," she said. "Really quiet, but very directed since he's been in the service. He was a good son."

Patrick's family and friends are in my thoughts and prayers during this trying time. Coming to terms with the